

KANAWHA COUNTY BOARD OF EDUCATION POLICY
Compulsory School Attendance--Alternative Instruction
Series: J21
Reference: W.Va. Code §§18-8-1 et seq., 18-28-1 et seq.
Issued: 08.20.1987
Revised: 04.18.1991; 10.18.2001
Revision Number: 2

21.01 Definitions.

- (a) School or other place approved by the county – Shall mean a place where instruction is imparted to pupils between the ages of 6 and 16 years for a time equal to the school term of Kanawha County Schools, other than public schools and schools operating under the provision of West Virginia Code 18-28-1 et seq., and which is not the subject of a Superintendent's application to the Kanawha County Circuit Court to deny home instruction.
- (b) Available assistance – Shall mean assistance, including textbooks, other teaching materials, and other resources, the provision of which would not subduct, either directly or indirectly, from the education of pupils attending Kanawha County Schools. The question of the availability of assistance shall be within the sole discretion of the Superintendent.

21.02 Information and Records. All schools or other places approved by the county, school operating under the provisions of West Virginia code 18-28-1 et seq., and any person or persons providing home instruction shall maintain complete records which reflect attendance, instruction and progress of pupils enrolled between the ages of 6 and 16 years. Such records shall be available for inspection by the superintendent or his or her designee during normal business hours.

21.03 Application for Instruction in Home or Other approved Place and (if applicable) Notice of Intent to Provide Home Instruction.

Any person or persons desiring to conduct instruction in a school or other place approved by the county shall complete and submit to the Board of Education of the County of Kanawha an application, and (if applicable) notice of intent to provide home instruction.

21.04 Annual Testing. It shall be the responsibility of the parent or guardian of every pupil between the ages of 6 and 16 years who receives instruction in a school or other place approved by the county or who receives home instruction to cause test results of either the comprehensive test of Basic Skills, the California Achievement Test, the Stanford Achievement Test, or the Iowa Test of Basic skills, in the subjects of English, grammar, reading, social studies, science and mathematics, to be submitted to the Superintendent on an annual

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basis. In the event Kanawha County Schools does not administer such tests to pupils who are not enrolled in Kanawha County Schools, such tests must be administered by a licensed psychologist, a person authorized by the publisher of the test, or other qualified person. Such test results shall be submitted during the month of May each year and such tests shall be administered at the expense of such parent or guardian.

21.05 Assistance. Available assistance is offered to schools and other places approved by the county and to persons who provide home instruction. Requests for assistance must be made in writing to the Superintendent and must specifically state the assistance which is sought.

21.06 Credit. Credit may be accumulated by students who attend public schools, or who participate in dual credit programs sponsored and approved by the county. Credit may also be earned in schools operated under the provision of WV Code §18-28-1 *et seq.*, only when approved by the Office of Administration and Instruction.

Schools operating under the provision of WV Code §18-28-1 *et seq.* are to submit an overview of the curriculum, which may include, but not be limited to, course syllabi, instructional goals and objectives to be covered, course requirements and total instructional minutes of each course to the Office of Administration and Instruction for approval.

Any other request for obtaining credit shall be made in writing to the Office of Administration and Instruction, except as provided in Section 21.07 herein.

21.07 Option to Attend Classes. Any pupil attending a school and other place approved by the county or any pupil receiving home instruction may attend any class offered by Kanawha County Schools, provided that such pupil is registered at least one month prior to the scheduled commencement of such class or classes and provided that such pupil complies with applicable attendance area and transfer requirements. Any such pupil who successfully completes any class offered by Kanawha County Schools shall receive the appropriate credit.

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21.08 Work Permits. Application for a work permit may be made to the Superintendent by youth under sixteen (16) years of age who have completed the eighth grade of school. Applications shall be made available through the Superintendent's Office.

21.09 Religious Instruction. When persons having legal or actual charge of a child or children of compulsory school age who are members or representatives of a local congregation of a recognized church or religious denomination established for ten years or more within the state of West Virginia, which professes principles or tenets that differ substantially from the objectives, goals, and philosophy of education embodied in standards of the West Virginia State board of education, file with the superintendent proof of the existence of such conflicting tenets or principles, together with a list of the names, ages, and mailing addresses of all persons of compulsory school age desiring to be exempted from the compulsory education law, whose parents or guardians are members of the congregation or religious denomination, the Superintendent, subject to approval of the board, may exempt the members of the congregation or religious denomination from compliance with any or all requirements of the compulsory education law in favor of religious instruction.